


US Army Corps of Engineers.

Vicksburg District 4155 Clay Street Vicksburg, MS 39183-3435 www.mvk.usace.army.mil



APPLICATION NO.:	MVK-2004-401
EVALUATOR:	Anne Woerner
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DATE:	January 27, 2006
EXPIRATION DATE:	February 17, 2006

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, MS 39189-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. William D. Wicker Green Hills Development Company, LLC 125 South Congress St. Suite 1610 Jackson, MS 39201-3399

Name of Agent

Mr. Clay Cromwell Wildlife Technical Services Post Office Box 820188 Vicksburg, MS 39182-0188

Location of Work: Sections 26, 27, 34, and 35, T5N-R3E, latitude 32.239825, longitude -89.970908, within the Pearl River drainage basin, Rankin County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following description of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place fill into wetlands and other waters of the United States for the construction of a single and multi-family residential subdivision, and a commercial development. This development includes restaurants and retail shopping areas located along the south boundary of U.S. Highway 18 in Brandon, Mississippi. The purpose of the proposed work is to help meet the demand for retail development and residential housing within the area as a result of the substantial growth that is taking place in Rankin County.

The proposed project includes the construction of approximately 609 single family houses, 273 townhouses/condominiums, and the associated streets, sewer, and utilities. The project also includes construction of restaurants and retail shopping areas and other commercial/retail development totaling approximately 726,400 square feet. Interlaced within the planned residential developments would be the construction of a 41-acre lake within a segment of Richland Creek.

The planned lake would offer adequate flood storage capabilities. The intent of the lake site is to reduce the flood impacts and to provide adequate free board to accept the stormwater flows produced from the new development. The proposed project also includes a greenspace plan that includes green strips or grassed swales located throughout the development to carry stormwater from the development areas to the proposed lake site. Additionally, the greenspace and proposed project landscaping would provide water quality filtering functions within the The anticipated stormwater flows would move developed areas. through the landscaped areas, through the filter strips interlaced throughout the development areas, and then through the filter strip areas along the banks of the lake before entering the lake. Check dams and or filter rip rap blankets would be placed as needed to provide further water quality filtering functions. Based upon the project design approximately 12% of the total site would be maintained as green space and utilized for water quality functions throughout the development.

The 403.83-acre project site includes 22.08 acres of forested and herbaceous wetlands and 12.15 acres of other waters of the United States. It is predominantly an upland open-field habitat with characteristic upland intermittent stream drainage and wetland depressional areas. Project construction would impact 10.7 acres of vegetated wetlands and 10.5 acres of other waters of the United States. Approximately 51,788 cubic yards of silty clay loam would be used to fill the jurisdictional wetlands and approximately 33,557 cubic yards of silty clay loam would be used to fill the other waters of the United States. Primary woody vegetation on the project site includes elm, willow oak, black willow, green ash, and swamp privet. Herbaceous vegetation found

on the project site includes species from the Polygonum, Scirpus, Paspalum, and Juncus genera, and broom sedge. The principal drainage is maintained through Richland Creek and five intermittent streams that flow in a northeast to southwest orientation through the length of the property. There are six farm ponds scattered throughout the property.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and placement of fill material requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

<u>Cultural Resources</u>: An initial review indicates that the proposed project would not affect any of the sites in Rankin County, Mississippi in the <u>National Register of Historic Places</u>. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

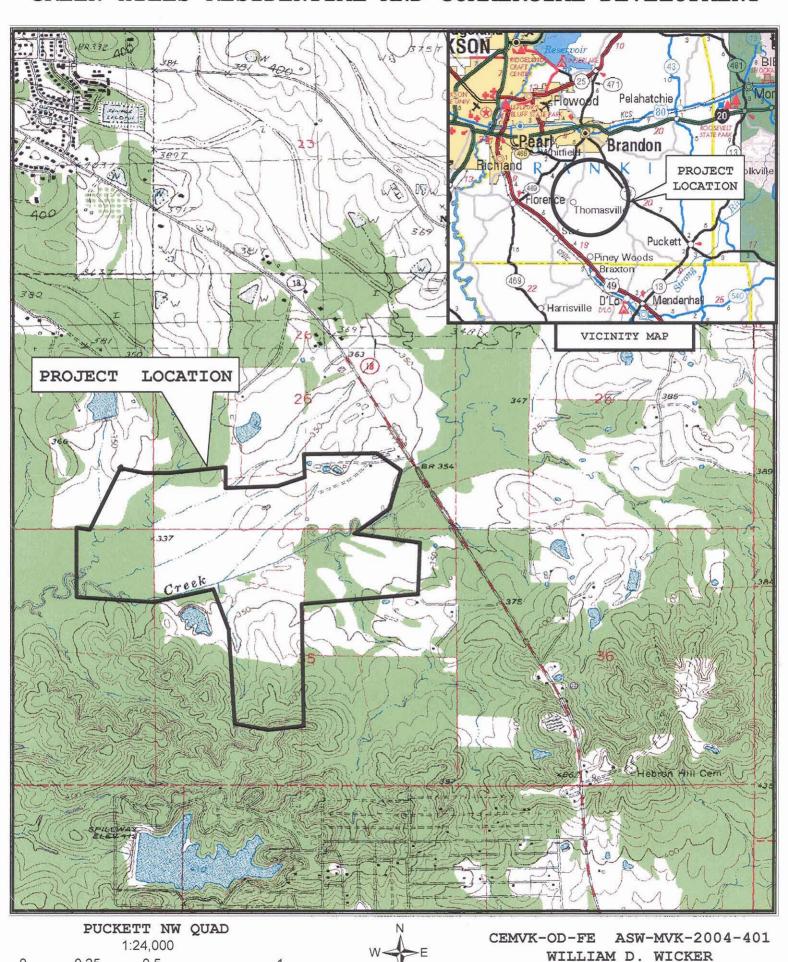
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, http://www.mvk.usace.army.mil/offices/od/odf/main.asp, or go directly to the Final Permit Actions web page at http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp.

W. Harold Lee Team Leader Evaluation Section

GREEN HILLS RESIDENTIAL AND COMMERCIAL DEVELOPMENT



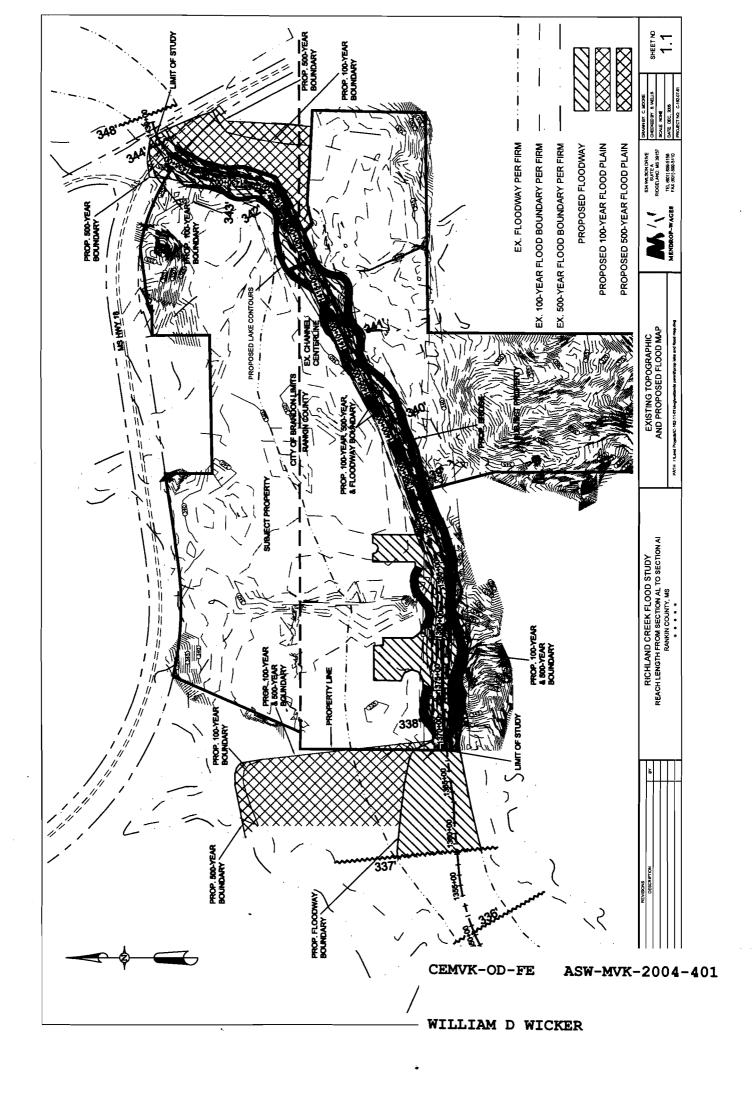
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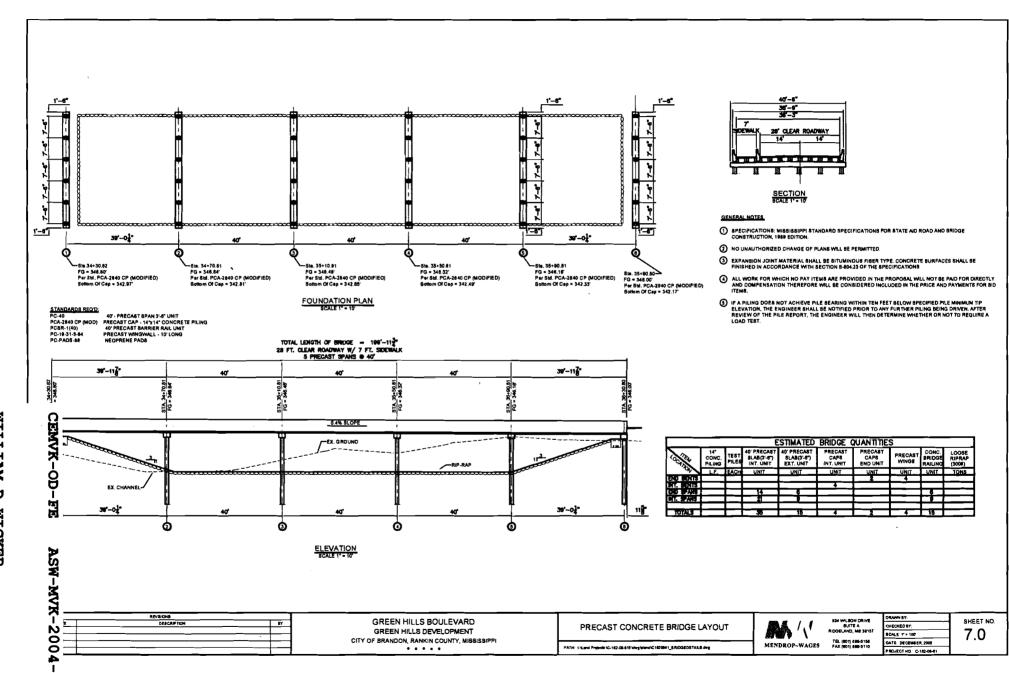
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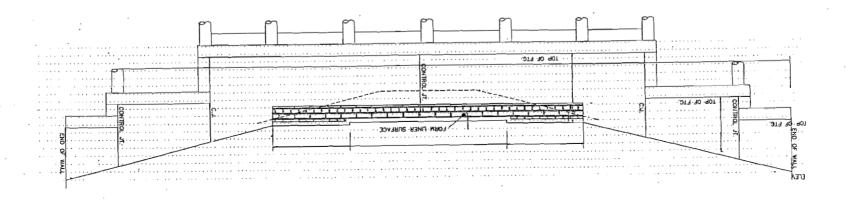
WILLIAM D WICKER

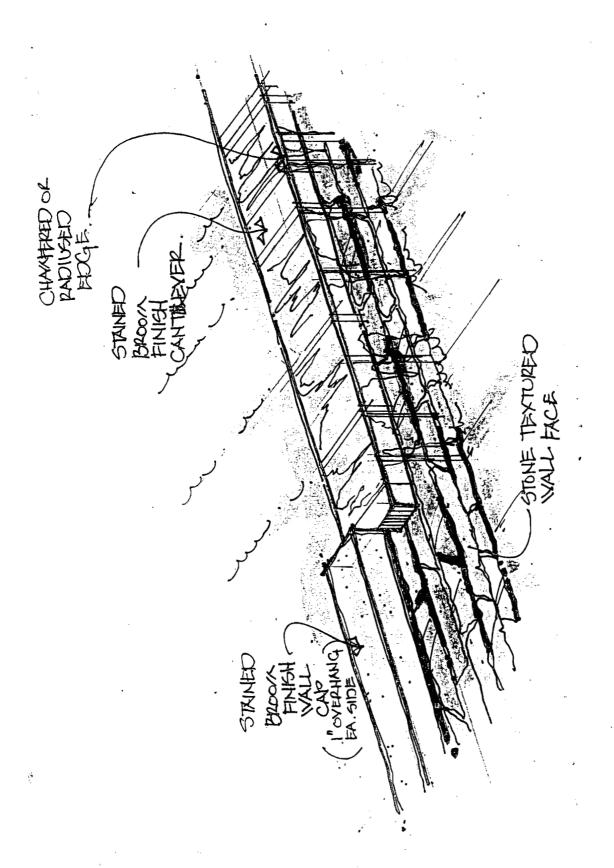






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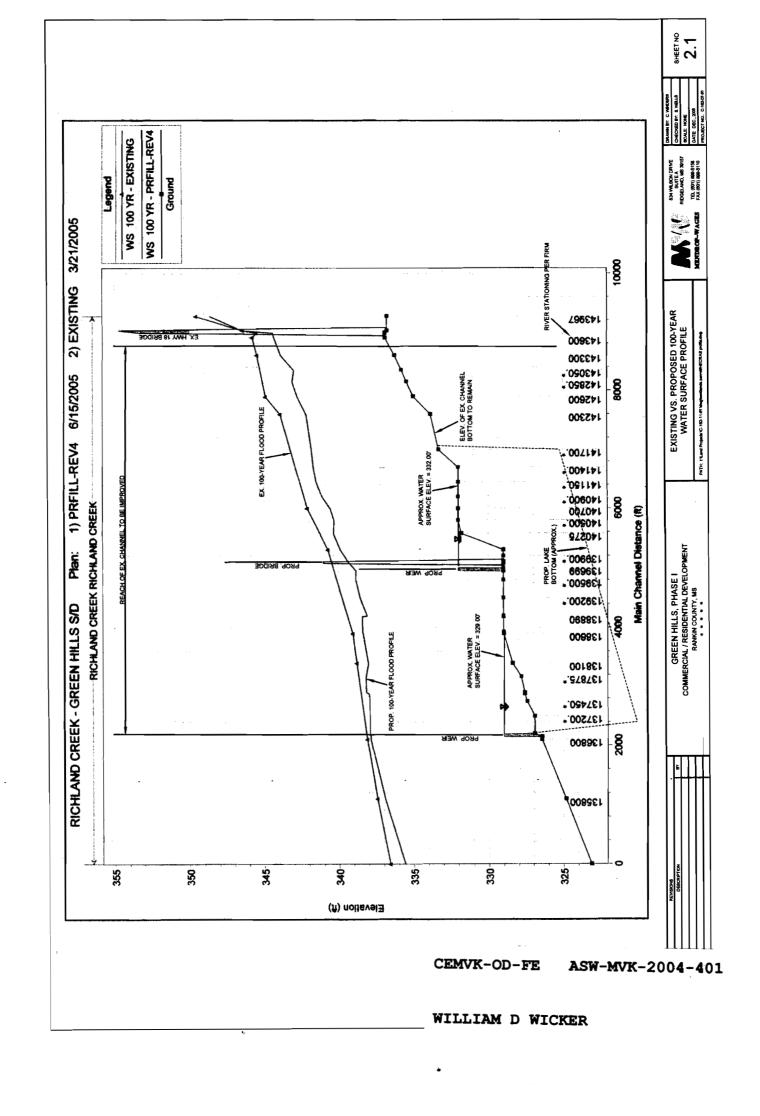




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